



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZRZ11-00031 **(Reconsideration)**  
**Application Type:** Rezoning  
**CPC Hearing Date:** December 1, 2011  
**Staff Planner:** Arturo Rubio, 915-541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)  
**Location:** South of Americas Avenue and East of Kathy Road  
**Legal Description:** Lots 15 and 16 , Richard Lee Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 2.3832 acres  
**Rep District:** 6  
**Zoning:** R-F (Ranch and Farm)  
**Existing Use:** Family Private Recreational Facility  
**Request:** From R-F (Ranch and Farm) to R-MU (Residential-Mixed Use)  
**Proposed Use:** Family Private Recreational Facility  
**Property Owner:** Mary Stillinger & Enriqueta Godinez  
**Representative:** Conde, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** R-F (Ranch and Farm)/Single-family/Ranch  
**South:** R-F (Ranch and Farm)/Single-family/Ranch  
**East:** R-F (Ranch and Farm)/Single-family/Ranch M-1/sc (Light Manufacturing/special contract)  
**West:** R-F (Ranch and Farm)/Single-family/Ranch/ RMH (Residential Mobile Home) Mobile Homes/Single-family dwellings

**Plan for El Paso Designation:** Residential (Mission Valley Planning Area)

**Nearest Park:** Feather Lake (5,088 Feet)

**Nearest School:** Del Valle High School (6,636 Feet)

### **NEIGHBORHOOD ASSOCIATIONS**

No neighborhood associations are located in this area.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 18. Re-notification notices were sent out on November 17, 2011. The Planning Division has received 1 letter with a petition in opposition and 1 in support of the rezoning request (Opposition Petition, Exhibit A and petition in support Exhibit B).

### **APPLICATION DESCRIPTION**

This item was reviewed and approved by CPC on November 3, 2011. However, this item is being presented for CPC reconsideration to verify compliance of public hearing sign posting requirements. The applicant has submitted pictures of the sign posting. The applicant is requesting to rezone the subject property from R-F (Ranch and Farm) to R-MU (Residential Mixed Use). The Master Zoning Plan shows a mixed use development consisting of a private recreational facility that includes stables, small scale farming, play houses and a guest house. A summary of the Master Zoning Plan is attached (attachment 4, pg.7). The proposed access is from Farrell Road and Kathy Road. The applicant has applied for a special privilege license to address existing encroachments on Farrell Road and Kathy Road (NESV11-00040) which will be heard concurrently with this request.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch and Farm) to R-MU (Residential Mixed Use) and the Master Zoning Plan based on the compatibility with the comprehensive plan, and the adjacent properties in the area. This development complies with the purpose, objectives, and guidelines of the R-MU District, and furthers the City Council direction to promote smart growth.

### **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.
- d. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.

The purpose of the R-MU (Residential Mixed Use) district to accommodate, encourage and promote innovatively designed developments involving neighborhood-serving residential and commercial land uses, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for developments that are intended by their size and nature of operation to provide service to a neighborhood. It is intended that the district regulations permit uses that are compatible with the residential areas that the uses serve, and allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

### **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **approval**.

### **Engineering & Construction Management Services Department – Plan Review**

No comments received.

### **Engineering & Construction Management Service Department - Land Development**

Land development has no objection to the rezoning subject request. Civil engineering plan is required for grading and drainage approval. Grading permit is required.

### **Department of Transportation**

No objection to rezoning. Proposed change in zoning will not create a substantial increase in traffic. 2. Existing encroachments on Kathy Drive and Ferrell Drive have been addressed through a special privilege license request (NESV11-00040) which is running concurrently with the proposed rezoning. 3. Sidewalks, curb, gutter and any necessary ramps will be required around the property. Note: All existing / proposed paths of travel, accessible sidewalks, and wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

### **El Paso Water Utilities**

1. EPWU does not object to this request.

Water:

2. There is an existing 8-inch diameter water main extending along Titanic Drive that is available for service, the water main is located approximately 12-ft north from the center right-of-way line.

3. There is an existing 6-inch diameter water main extending along Atlas Drive that is available for service, the water main is located about 10-ft north from the center right-of-way line.

4. Along Mitzie Ram from Titanic and Atlas Drive, there is an existing 6-inch diameter water main that is available for service. Said main changes in diameter to an 8-inch water main approximately 265-ft north from the southern property line. The water main is located about 7-ft east from the center right-of-way line

5. Previous water pressure reading from fire hydrant # 204 located at the northeast intersection of Mount Latona and Atlas Drive, have yielded a static pressure of 114 (psi) pounds per square inch, a residual pressure of 110 (psi) pounds per square inch and a discharge of 1248 (gpm) gallons per minute

6. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

7. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 4805 Atlas Drive.

Sewer:

8. There is an existing 8-inch diameter sanitary sewer main extending along Titanic Drive that is available for service, the sewer main is located approximately 12-ft south from the center right-of-way line.

9. There is an existing 12-inch diameter sanitary sewer main extending along Atlas Drive that is available for service, the sewer main is located approximately 5-ft south from the center right-of-way line.

10. There is an existing 8-inch diameter sanitary sewer main extending along Mitzie Ram Place that is available for service, the sewer main is located approximately 4-ft west from the center right-of-way line.

General:

11. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances

### **Fire Department**

Recommend approval

### **CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

### **Attachments:**

Attachment 1: Zoning Map

Attachment 2: Aerial Map

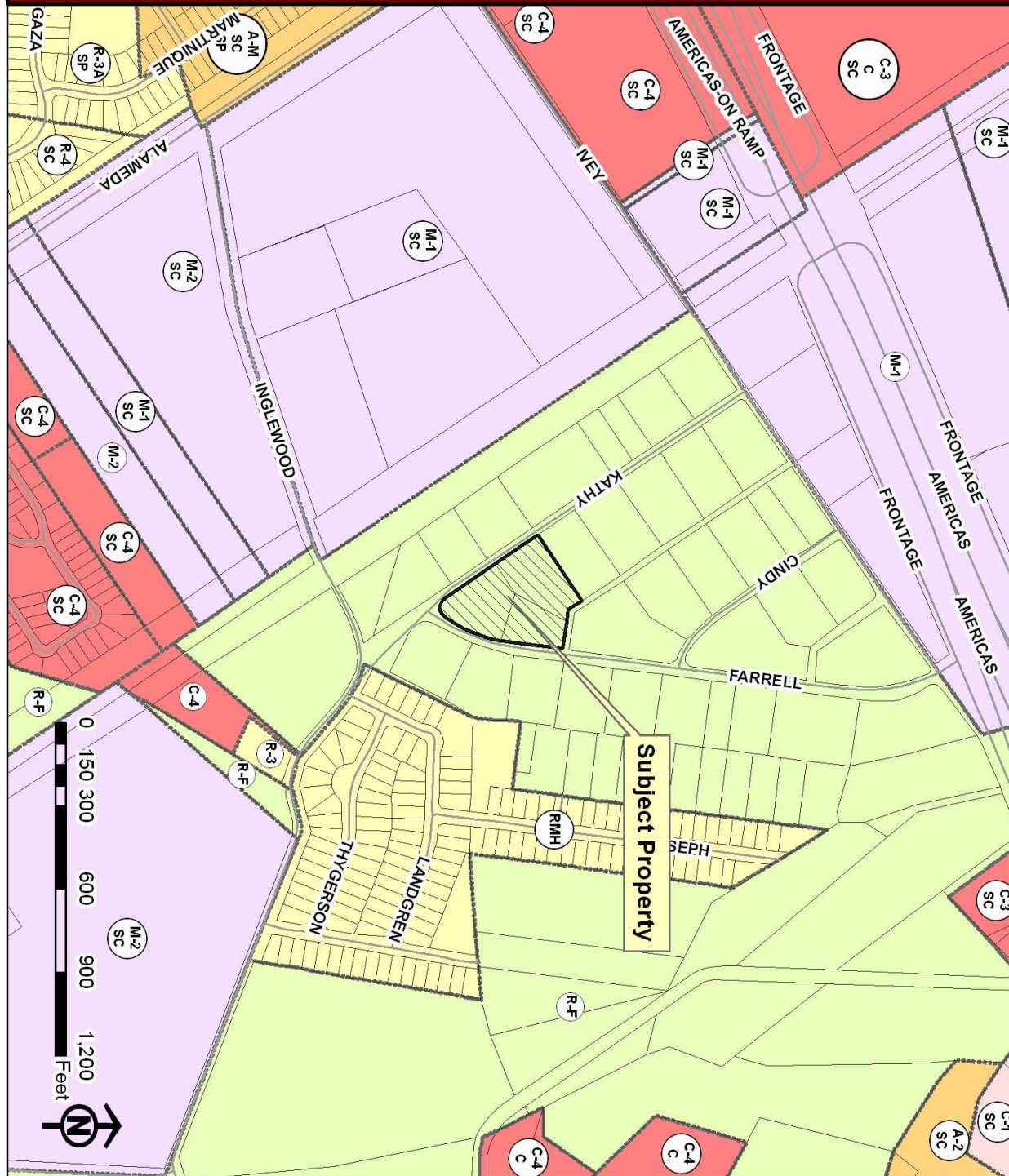
Attachment 3: Master Zoning Plan

Attachment 4: Master Zoning Plan Report

Exhibit A: Opposition Petition

Exhibit B: Support Petition

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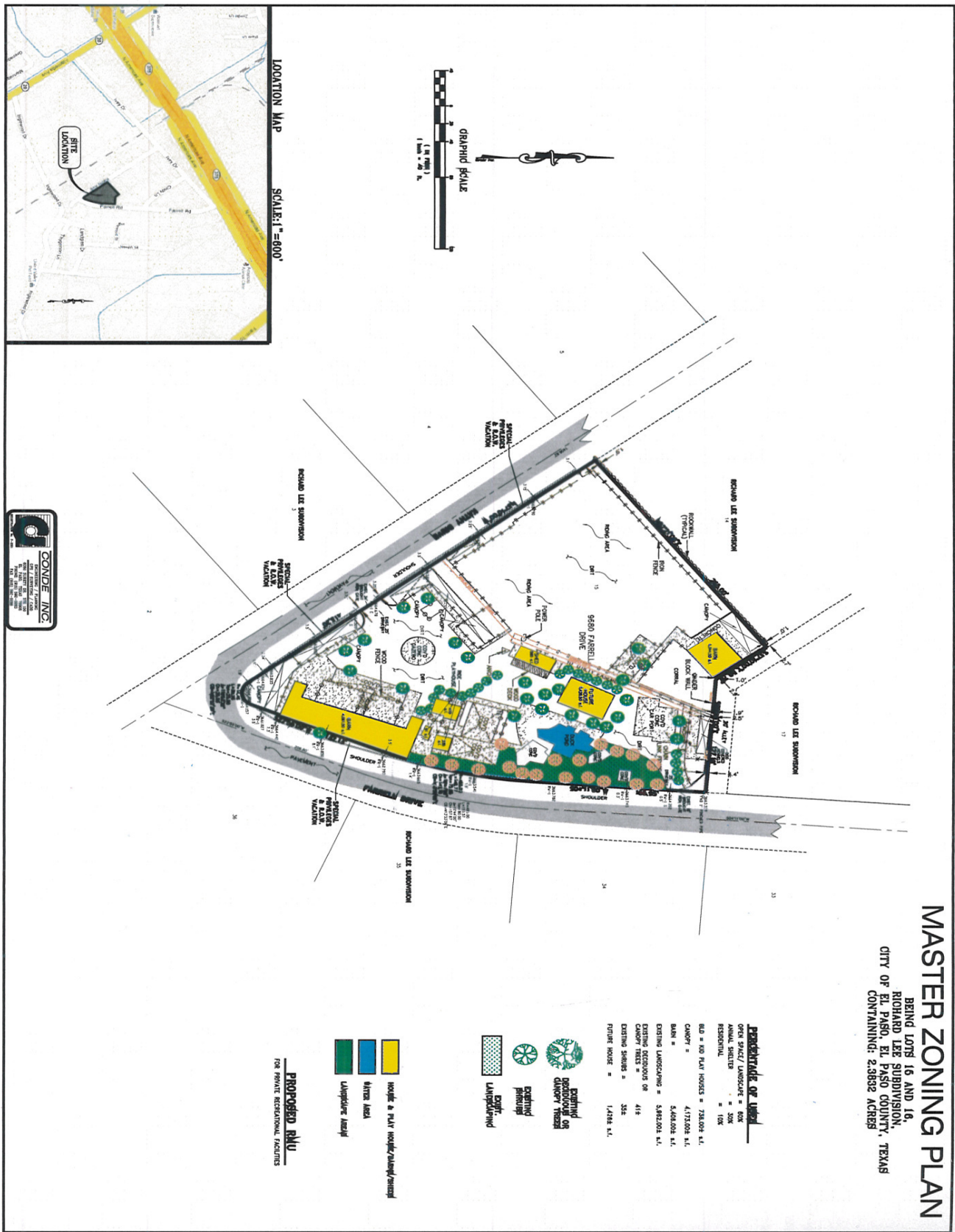
ATTACHMENT 2: AERIAL MAP

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## ATTACHMENT 3: MASTER ZONING PLAN



## **ATTACHMENT 4: MASTER ZONING PLAN REPORT**

9680 FARRELL MASTER ZONING PLAN .....June 2011

### **MASTER ZONING PLAN**

#### **9680 Farrell Master Zoning Plan for a Residential Mixed Use District**

#### **SECTION I**

##### **PURPOSE AND INTENT**

The purpose of this Master Zoning Plan is to provide detail on the compatibility between land use and structures within and adjacent to this district. The district is intended to provide a unified community as described within the City of El Paso Comprehensive Plan and Smart Growth Objectives as follows:

- To accommodate, encourage and promote innovatively designed development involving neighborhood-serving residential and commercial land uses - This district is designed in a manner that not only improves the aesthetics of the abutting neighborhood, but also compliments the rural valley characteristics.
- To permit uses that are compatible to the existing neighborhoods abutting this district - This district provides for public gathering places and for shelter and training of farm animals not only for this district, but for the abutting existing neighborhood.

#### **SECTION II**

##### **CHARACTERISTICS AND COMPONENTS OF THIS DISTRICT**

1. General Design Principles as per Title 20.10.360G are design principles to serve as guidelines that are met by this district.
  - a. Development Perspective:
    - (1).The natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.
    - (2).That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.
    - (11). That the ordinary activity of daily living occurs within walking distance of most dwellings.
    - (17). That a development have sufficient size to accommodate the mixed-use concentration of uses.

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- b. Building Perspective:
  - (1). That buildings and landscaping contribute to the physical definition of streets and civic places.
  - (3). That architecture and landscape design grow from local climate, topography, history and building practice.
  - (6). That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.
- 2. General Design Elements as per Title 20.10.360G are design elements to serve as guidelines that are met by this District.
  - a. Neighborhoods limited in size and orientated toward pedestrian activity.
  - e. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.
  - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
  - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character, and landscaping to establish a livable and harmonious environment.
- 3. Architectural objectives as per Title 20.10.360G
  - a. Architectural compatibility
  - b. Human scale design
  - c. Integration of uses
  - d. Encouragement of pedestrian activity
  - e. Buildings that relate to and are orientated toward the street and surrounding buildings
  - f. Residential scale buildings in any mixed residential area
  - g. Buildings that contain special architectural features to signify entrances to the mixed-use development, and
  - h. Buildings that focus activity on neighborhood open space, square or plaza.
- 4. Roadway design as per Title 20.10.360G – this District does not have a roadway design element within the district, but compliments and adheres to the roadway design abutting the district as a rural roadway.
- 5. Parking – off-street parking within the district is provided for the residents of the district; however, sufficient on street parking, if needed, is provided within the existing roadway section abutting the district.
- 6. Setbacks – this district will have zero (0) setbacks.
- 7. Density – this district will contain a maximum of 1 residential unit (FAR=.02:1)
- 8. Landscaping – this district will contain landscaping that will meet and exceed requirements per Title 18 (Building and Construction) of the El Paso City Code.
- 9. Sub districts – this district will not have any sub districts.

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### **SECTION III**

#### **PHASING**

The District is already built. However, development of the single family detached unit will be built within a two year timeframe.

### **SECTION IV**

#### **RELATIONSHIP TO THE PLAN FOR EL PASO**

The Plan for El Paso states the Goals and Policies that define the form and function of the City. This Master Zoning Plan is in accordance with the goals and policies as per the following points:

A. City-Wide Land Use Goals and Policies:

1. Goal: Develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.

Policy: Develop land use patterns that protect neighborhoods while supporting the economic viability of the City.

Action: Maintain development standards that protect residential neighborhoods from uses that increase traffic, noise, reduce privacy, and adversely affect the health, safety and welfare of residents.

B. Residential Land Use Goals and Policies:

1. Goal: Provide a wide range of housing types that respond to the needs of all economic segments of the community.

Policy: Encourage innovative home design and development to promote housing opportunities

Action: Provide adequate open space, either in private yards or common areas, in all residential developments

2. Goal: Protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

Action: Employ development standards to protect residential environments.

C. Neighborhoods Land Use Goals and Policies:

1. Preserve, protect, and enhance the integrity, economic vitality and livability of the City's neighborhoods.

Policy: Community facilities should be equitably distributed to the extent feasible throughout the City.

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Action: Encourage neighborhood amenities that include places for interaction among residents such as parks, community centers, schools, commercial areas, churches, and other gathering points throughout the City.  
Action: Public and private development should be designed to improve the character of the existing neighborhoods.

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# 9680 FARRELL

## GENERAL DATA REQUIRED FOR THE MIXED USE DISTRICT

| Land Use Type                        | Minimum Lot Area | LOT COVERAGE |         | Minimum Lot Width | Minimum Lot Depth | MAX BLDG HEIGHT (1) |                     |
|--------------------------------------|------------------|--------------|---------|-------------------|-------------------|---------------------|---------------------|
|                                      |                  | Minimum      | Maximum |                   |                   | Primary Structure   | Accessory Structure |
| <b>1.00</b>                          |                  |              |         |                   |                   |                     |                     |
| Animal Kennel                        | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Animal Training Facility             | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Barn                                 | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Composting Facility                  | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Farm                                 | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Farmers Market                       | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Feed yard                            | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Harvesting                           | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Livestock Grazing                    | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Raising (Field, tree, bush crops)    | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Raising (small, large animals)       | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Stable                               | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Riding Academy                       | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Veterinary Treatment (small)         | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Pasturage (small of large)           | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Poultry Hatchery                     | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Produce Stand                        | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| <b>11.00</b>                         |                  |              |         |                   |                   |                     |                     |
| <b>Recreational</b>                  | n/a              | n/a          | n/a     | n/a               | n/a               |                     |                     |
| Open Space                           | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Park/Playground                      | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| <b>13.00</b>                         |                  |              |         |                   |                   |                     |                     |
| <b>Residential</b>                   | n/a              | n/a          | n/a     | n/a               | n/a               |                     |                     |
| Single Family (Attached/Detached)    | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Animal, keeping for enjoyment        | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Domestic Garden, tool and play house | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Swimming Pool, Game Court            | n/a              | n/a          | n/a     | n/a               | n/a               | n/a                 | n/a                 |
| Domestic Storage                     | n/a              | n/a          | n/a     | n/a               | n/a               | 15'                 | 15'                 |
| Dwelling, resident watchman          | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Family Home                          | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Home Occupation Use                  | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |
| Ranchette                            | n/a              | n/a          | n/a     | n/a               | n/a               | 35'                 | 35'                 |